

EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

VERILYN LAFRANCE	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 4:19-cv-413
	§	
JULIO CRESPOPUENTES, and	§	
TRIUS TRUCKING, INC.	§	
<i>Defendants.</i>	§	

INDEX OF STATE COURT FILE

The following is an index identifying each state court document and the date in which each document was filed in the 352nd Judicial District Court of Tarrant County, Texas.

EXHIBIT	DATE	DOCUMENT
3		State Court File
3a	05/17/2019	Docket Sheet
3b	03/20/2019	Plaintiff's Original Petition, Jury Demand, and Requests for Disclosure
3c	03/20/2019	Citation Issued on Julio Crespopuentes
3d	03/20/2019	Citation Issued on Trius Trucking, Inc.
3e	04/23/2019	Citation Return of Service for Julio Crespopuentes
3f	05/03/2019	Defendants' Original Answer and Request for Disclosures
3g	05/03/2019	Defendants' Request for Jury Trial
3h	05/13/2019	Letter from Court on Pre-Trial Hearing

EXHIBIT 3a



Tarrant County District Clerk Online

Thomas A. Wilder, District Clerk

Civil - Case and Transaction Information

5/17/19 10:25 AM

Cause Number: 352-306875-19

Date Filed: 03-20-2019

VERILYN LAFRANCE

| VS |

JULIO CRESPOPUENTES, ET AL

Cause of Action: INJURY OR DAMAGE, INVOLVING MOTOR VEHICLE

Case Status: PENDING

File Mark	Description	Assessed Fee	Credit/Paid Fee
03-20-2019	<u>PLTF'S ORIG PET, JURY DEMAND REQ FOR DISCL, & RULE 193.7 NOT</u>	N I	<u>289.00</u>
03-20-2019	<u>COURT COST (PAID) trans #1</u>	Y	<u>289.00</u>
03-20-2019	<u>CIT-ISSUED ON JULIO CRESPOPUENTES-On 03/26/2019</u>	N I Svc	<u>8.00</u>
03-20-2019	<u>CIT-ISSUED ON TRIUS TRUCKING INC-On 03/26/2019</u>	N I Svc	<u>8.00</u>
03-20-2019	<u>COURT COST (PAID) trans #4</u>	Y	<u>8.00</u>
03-20-2019	<u>COURT COST (PAID) trans #3</u>	Y	<u>8.00</u>
03-20-2019	<u>JURY FEE</u>	N	<u>40.00</u>
03-20-2019	<u>COURT COST (PAID) trans #7</u>	Y	<u>40.00</u>
04-23-2019	<u>CIT RET OF SVC-JULIO CRESPOPUENTES-EXEC</u>	I	<u>0.00</u>
04-23-2019	<u>CIT Tr# 3 RET EXEC(JULIO CRESPOPUENTES) On 03/29/2019</u>	I	<u>0.00</u>
05-03-2019	<u>DEFNS' ORIG ANS & REQ DISCL</u>	I	<u>0.00</u>
05-03-2019	<u>DEFNS' REQ FOR JURY TRIAL</u>	I	<u>0.00</u>
05-03-2019	<u>JURY FEE</u>	N	<u>40.00</u>
05-03-2019	<u>COURT COST (PAID) trans #13</u>	Y	<u>40.00</u>
05-13-2019	<u>LTR FROM THE CT RE PRE-TRL HRG (6-28-19/9:00)</u>	I	<u>0.00</u>

District Clerk's Office

Tom Vandergriff Civil Courts Building

100 N. Calhoun St., 2nd Floor, Fort Worth, Texas 76196, [Contact Us](#)Please send questions and comments regarding the District Clerk web site to [District Clerk Webmaster](#)

EXHIBIT 3b

FILED
TARRANT COUNTY
3/20/2019 5:12 PM
THOMAS A. WILDER
DISTRICT CLERK

CAUSE NO.: 352-306875-19

VERILYN LAFRANCE,

Plaintiff

V.

JULIO CRESPOPUENTES and
TRIUS TRUCKING, INC.,

Defendants.

IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND,
REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE**

COMES NOW Verilyn LaFrance ("Plaintiff") complaining of Julio Crespopuentes and Trius Trucking, Inc., ("Defendants") and in support thereof shows the Court as follows:

I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Texas Rule of Civil Procedure 190.4, the discovery of this case is to be conducted under Discovery Control Plan Level 3. Plaintiff affirmatively pleads that this suit is not governed by the expedited-actions process in Texas Rule of Civil Procedure 169 because Plaintiff seeks monetary relief over \$100,000.

II. PARTIES

2.1 Plaintiff, Verilyn LaFrance, hereinafter referred to as "Plaintiff", is a resident citizen of Arlington, Tarrant County, Texas.

2.2 Defendant, Julio Crespopuentes, hereinafter referred to as "Defendant Crespopuentes" is a resident of the State of California and may be served with process pursuant to Tex. R. Civ. P. 106(a) by delivering to the Defendant in person, a true and correct copy of the citation and Plaintiff's Original Petition, Jury Demand, Request for Disclosure and Rule 193.7

Notice to his last known place of residence, 2240 South Matus Avenue, Fresno, California 93725 or wherever he may be found.

2.3 Defendant, Trius Trucking, Inc., hereinafter referred to as "Defendant Trius", is a California corporation doing business in the State of Texas and, pursuant to the Texas Business Corporation Act 2.11, may be served with process by serving its registered agent, Tehal Thandi, 3379 N. Dewey Avenue, Fresno, California 93722.

III. JURISDICTION AND VENUE

3.1 The Court has jurisdiction over this Cause because Plaintiff's damages are within the jurisdictional limits of the Court.

3.2 Pursuant to Sections 15.001 and 15.002(a)(1) of the Texas Civil Practice and Remedies Code, this venue is proper because all, or a substantial part of, the events or omissions giving rise to the claim occurred in Tarrant County, Texas. The venue is also proper because it best serves the convenience of the parties and witnesses, as well as the interests of justice.

3.3 Plaintiff has satisfied all conditions precedent to bringing this lawsuit.

3.4 Nothing Plaintiff did or did not do caused or contributed to this occurrence.

IV. FACTS

4.1 On or about July 23, 2017, Plaintiff was operating a 2009 Nissan Altima westbound on the 2600 block of Interstate Highway 20 in Tarrant County. At the same time and place, Defendant Crespopuentes was operating a tractor while towing a trailer and was also traveling westbound at or near the 2600 block of Interstate Highway 20. Defendant Crespopuentes made an unsafe and improper lane change causing Defendant's tractor to collide with the vehicle operated by Plaintiff, causing Plaintiff to suffer severe, excruciating, and painful

injuries. At the time of the collision, the tractor operated Defendant Crespopuentes was owned by Defendant Trius.

V. NEGLIGENCE – JULIO CRESPOPUENTES

5.1 The collision made the basis of this lawsuit resulted from the improper conduct of Defendant Crespopuentes. The conduct of Defendant Crespopuentes constituted negligence as that term is understood in law and such negligent conduct was a proximate cause of the occurrence, injuries and damages to Plaintiff. Defendant Crespopuentes' negligent actions or omissions include, but are not limited to, one or more of the following non-exclusive particulars:

- a. failing to yield the right of way;
- b. failing to keep his vehicle at a safe distance from other vehicles;
- c. failing to maintain a proper lookout;
- d. failing to take proper evasive action;
- e. failing to maintain control of his vehicle;
- f. failing to apply the brakes properly and/or timely in violation of Texas Transportation Code §547.408(a)(3);
- g. failing to operate his vehicle in a safe manner;
- h. failing to operate his vehicle as a person of ordinary prudence would have in the same or similar circumstance; and/ or
- i. other acts of negligence and negligence per se.

The foregoing acts and/or omissions on the part of Defendant Crespopuentes constituted negligence and such negligence was a proximate cause of the occurrence of Plaintiff's injuries and damages.

Plaintiff would show this Court that the harm Plaintiff suffered is the type of harm which the above statute is intended to prevent. Plaintiff would also show this Court that Plaintiff was a

member of the class of persons in which the statute was enacted to protect. Such violation amounts to *negligence per se* and is the proximate cause of the occurrence in question.

VI. RESPONDEAT SUPERIOR

6.1 On or about July 23, 2017, Defendant Crespopuentes caused the motor vehicle operated by Plaintiff to collide with another vehicle, causing Plaintiff to sustain serious and permanent injuries. At the time of the collision, Defendant Crespopuentes was driving a motor vehicle owned by Defendant Trius.

VII. DEFENDANT TRIUS TRUCKING, INC.

7.1 The conduct of Defendant Trius constitutes negligence as that term is known in the law. Such negligent acts or omission include, but are not limited to, the following:

- a. allowing Defendant Crespopuentes to operate their vehicle even though they knew or should have known he was a reckless or incompetent driver;
- b. entrusting a vehicle to Defendant Crespopuentes, even though they knew or should have known he was a reckless or incompetent driver;
- c. failing to properly train Defendant Crespopuentes, in the safe operation of a motor vehicle;
- d. failing to properly supervise Defendant Crespopuentes' driving activities;
- e. failing to properly maintain the vehicle in a safe operational condition;
- f. failing to maintain the vehicle to the minimal standard of safety;
- g. failing to establish and enforce safety rules and regulations;
- h. failing to properly educate, instruct and supervise in the performance of Defendant Crespopuentes' duties;
- i. failing to adequately train, educate, or provide instructions and orders to persons;
- j. failing to provide proper safety manuals and instructions to employees responsible for safety;
- k. failing to properly secure and track its equipment;

1. failing to enforce and ensure compliance of established safety and operational rules and regulations for persons operating its equipment; and/or
 - m. other acts of negligence and negligence *per se*.

One, some, or all of the foregoing acts and/or omissions or others on the part of Defendants constituted negligence and such negligence was a proximate cause of the occurrence of Plaintiff's injuries and damages.

Plaintiff would show this Court that the harm Plaintiff suffered is the type of harm which the above statute is intended to prevent. Plaintiffs would also show this Court that Plaintiff was a member of the class of persons in which the statue was enacted to protect. Such violation amounts to *negligence per se* and is the proximate cause of the occurrence in question.

VIII. DEFENDANTS - GROSS NEGLIGENCE

8.1 The conduct of Defendants, which when viewed objectively from the standpoint of Defendants at the time of its occurrence involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others. Defendants had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety or welfare of others. Consequently, Defendants' conduct constitutes gross negligence. Such gross negligence was a proximate cause of the occurrence and Plaintiff's injuries and damages.

IX. DAMAGES

9.1 As a result of the incident made the basis of this lawsuit described in the preceding paragraphs and the negligence of the Defendants, Plaintiff sustained significant injuries and damages in the past and will, in reasonable probability, sustain these damages in the future.

9.2 Plaintiff respectfully requests that the trier of fact determine the amount of his damages and losses that he has incurred in the past and will reasonably incur in the future, as well as the monetary value of these damages, which include, but are not limited to:

- a. past and future physical pain and suffering and mental anguish;
- b. past and future disfigurement;
- c. past and future physical impairment;
- d. past and future medical care expenses;
- e. past and future loss of earnings and earning capacity, and
- f. past and future out-of-pocket economic losses.

9.3 Because of all of the above and foregoing, Plaintiff has suffered actual damages in excess of the minimum jurisdictional limits of the Court for which damages Plaintiff now brings suit.

9.4 Plaintiff seeks both prejudgment and post judgment interest as allowed by law, for all costs of court, and all other relief, both in law and in equity, to which she may be entitled.

X. PRESERVATION OF EVIDENCE

10.1 Plaintiff hereby requests and demands that Defendants preserve and maintain all evidence pertaining to any claim or defense related to the incident made the basis of this lawsuit, or the damages resulting therefrom, including photographs, videotapes, audiotapes, recordings, business or medical records; bills; estimates; invoices; checks; measurements; correspondence; memoranda; files; any item which has been removed from the premises which was involved in the incident; facsimile; email; voicemail; text messages; investigation; cellular telephone records; calendar entries; and any electronic image, data, or information related to Plaintiff, the

referenced incident, or any damages resulting therefrom. Failure to maintain such items will constitute spoliation of the evidence.

XI. JURY DEMAND

11.1 Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Plaintiff respectfully requests and demands a trial by jury.

XII. REQUEST FOR DISCLOSURE

12.1 Pursuant to Rule 194, request is made that Defendants disclose, within fifty (50) days of service of this Request, the information or material described in Texas Rule of Civil Procedure 194.2(a)-(l). Defendants must serve a written response to these Requests for Disclosure on Plaintiff within fifty (50) days after the service of this request. Failure to timely respond shall constitute an abuse of discovery pursuant to Texas Rule of Civil Procedure 215.

XII. RULE 193.7 NOTICE

13.1 Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, Plaintiff hereby gives actual notice to Defendants that any and all documents produced may be used against the Defendants producing the document at any pretrial proceeding and/or at the trial of this matter without the necessity of authenticating the documents.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendants be cited in terms of law to appear and answer herein, and that upon final trial and hearing hereof, Plaintiff recover damages in accordance with the evidence, costs of Court herein expended, interest allowed under the law, and that Plaintiff be granted such other and further relief, both general and special, at law and in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

JIM S. ADLER & ASSOCIATES

/s/ Phillip Shaw

Phillip Shaw
SBN: 24106730

JIM S. ADLER & ASSOCIATES
The Tower at CityPlace, Lock Box 40
2711 N. Haskell Avenue, Suite 2500
Dallas, Texas 75204
Tel: (214) 220-3203
Fax: (214) 220-3245
pshaw@jimadler.com

ATTORNEY FOR PLAINTIFF

EXHIBIT 3c

CITATION

Cause No. 352-306875-19

VERILYN LAFRANCE
VS.
JULIO CRESPOPUENTES, ET AL

TO: JULIO CRESPOPUENTES

2240 S MATUS AVE FRESNO, CA 93725-

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 352nd District Court ,100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

VERILYN LAFRANCE

Filed in said Court on March 20th, 2019 Against
JULIO CRESPOPUENTES, TRIUS TRUCKING INC

For suit, said suit being numbered 352-306875-19 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE a copy of which accompanies this citation.

PHILLIP R SHAW
Attorney for VERILYN LAFRANCE Phone No. (214)220-3203
Address THE TOWER AT CITY PLACE LOCK BOX 40 2711 N HASKELL AVE

Thomas A. Wilder , Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 26th day of March, 2019.

By Lauren Melanson Deputy
LAUREN MELANSON

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *35230687519000003*

Received this Citation on the _____ day of _____, _____ at _____ o'clock ____M; and executed at _____
within the county of _____, State of _____ at _____ o'clock ____M
on the _____ day of _____, _____ by delivering to the within named (Def.): _____
defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____,

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CITATION

Cause No. 352-306875-19

VERILYN LAFRANCE

VS.

JULIO CRESPOPUENTES, ET AL

ISSUED

This 26th day of March, 2019

Thomas A. Wilder
Tarrant County District Clerk
100 N CALHOUN
FORT WORTH TX 76196-0402

By LAUREN MELANSON Deputy

PHILLIP R SHAW
Attorney for: VERILYN LAFRANCE
Phone No. (214)220-3203
ADDRESS: THE TOWER AT CITY PLACE LOCK BOX 40
2711 N HASKELL AVE STE 2500
DALLAS, TX 75204

CIVIL LAW



35230687519000003
SERVICE FEES NOT COLLECTED
BY TARRANT COUNTY DISTRICT CLERK
ORIGINAL

EXHIBIT 3d

CITATION

Cause No. 352-306875-19

VERILYN LAFRANCE
VS.
JULIO CRESPOPUENTES, ET AL

TO: TRIUS TRUCKING INC

B/S REG AGENT-TEHAL THANDI 3379 N DEWEY AVE FRESNO, CA 93722-

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 352nd District Court ,100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

VERILYN LAFRANCE

Filed in said Court on March 20th, 2019 Against
JULIO CRESPOPUENTES, TRIUS TRUCKING INC

For suit, said suit being numbered 352-306875-19 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE a copy of which accompanies this citation.

PHILLIP R SHAW
Attorney for VERILYN LAFRANCE Phone No. (214)220-3203
Address THE TOWER AT CITY PLACE LOCK BOX 40 2711 N HASKELL AVE

Thomas A. Wilder , Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 26th day of March, 2019.

By Lauren Melanson Deputy
LAUREN MELANSON

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *35230687519000004*

Received this Citation on the _____ day of _____, _____ at _____ o'clock _____ M; and executed at _____ within the county of _____, State of _____ at _____ o'clock _____ M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____,

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CITATION

Cause No. 352-306875-19

VERILYN LAFRANCE

VS.

JULIO CRESPOPUENTES, ET AL

ISSUED

This 26th day of March, 2019

Thomas A. Wilder
Tarrant County District Clerk
100 N CALHOUN
FORT WORTH TX 76196-0402

By LAUREN MELANSON Deputy

PHILLIP R SHAW
Attorney for: VERILYN LAFRANCE
Phone No. (214)220-3203
ADDRESS: THE TOWER AT CITY PLACE LOCK BOX 40
2711 N HASKELL AVE STE 2500
DALLAS, TX 75204

CIVIL LAW



35230687519000004
SERVICE FEES NOT COLLECTED
BY TARRANT COUNTY DISTRICT CLERK
ORIGINAL

EXHIBIT 3e

THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY**CITATION****Cause No. 352-306875-19**

VERILYN LAFRANCE
 VS.
 JULIO CRESPOPUENTES, ET AL

TO: JULIO CRESPOPUENTES

2240 S MATUS AVE FRESNO, CA 93725-

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 352nd District Court ,100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

VERILYN LAFRANCE

Filed in said Court on March 20th, 2019 Against
 JULIO CRESPOPUENTES, TRIUS TRUCKING INC

For suit, said suit being numbered 352-306875-19 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE a copy of which accompanies this citation.

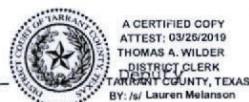
PHILLIP R SHAW

Attorney for VERILYN LAFRANCE Phone No. (214)220-3203

Address THE TOWER AT CITY PLACE LOCK BOX 40 2711 N HASKELL AVE

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 26th day of March, 2019.

By Lauren Melanson
 LAUREN MELANSON



A CERTIFIED COPY
 ATTEST: 03/26/2019
 THOMAS A. WILDER
 DISTRICT CLERK
 TARRANT COUNTY, TEXAS
 BY: /s/ Lauren Melanson

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *35230687519000003*

Received this Citation on the _____ day of _____, ____ at ____ o'clock ____ M; and executed at _____ within the county of _____, State of _____ at ____ o'clock ____ M on the _____ day of _____, ____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE, having first endorsed on same the date of delivery.

**AFFIDAVIT
ATTACHED**

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____,

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

Cause No. 352-306875-19
In The District Court of Tarrant County, Texas
352nd Judicial District

VERILYN LAFRANCE
Plaintiff

VS.

JULIO CRESPOPUENTES and
TRIUS TRUCKING, INC.

Defendants

Came to hand on 3.29.19 10:45 Am.

Executed at 2240 South Matus Avenue, Fresno, California 93725, within the County of Fresno at 5:37 p.m. on March 29, 2019, by delivering to the within named:

JULIO CRESPO PUENTES, in person, delivered a true copy of this Citation with Plaintiff's Original Petition, Jury Demand, Request for Disclosure and Rule 193.7 Notice, with the date of delivery endorsed thereon by me and informed said person of the contents therein, in compliance with state statutes.

I certify that I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the above-referenced cause.

By: 
Joe Louie Herrera
Republic Services
4202 Sherwood, Houston, Texas 77092
713.957.0094
California Server LIC No. S201610000016
Exp. 04/11/2020

VERIFICATION

STATE OF TEXAS ^{LA} §
COUNTY OF FRESNO §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared **Joe Louie Herrera**, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office on this

8th day of April 2019


NOTARY PUBLIC, STATE OF CALIFORNIA

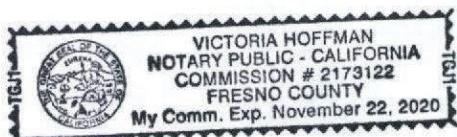


EXHIBIT 3f

CAUSE NO. 352-306875-19

VERILYN LAFRANCE

Plaintiff,

v.

**JULIO CRESPOPUENTES and
TRIUS TURCKING, INC.**

Defendants.

IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

352ND JUDICIAL DISTRICT

DEFENDANTS' ORIGINAL ANSWER AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Julio Crespopuentes and Trius Trucking, Inc., Defendants herein, and file this their Original Answer to Plaintiff's Original Petition, and in support thereof would respectfully show unto this Honorable Court as follows:

I.
GENERAL DENIAL

Defendants deny each and every, all and singular, the allegations contained in Plaintiff's Original Petition and demand strict proof thereof as authorized by Texas Rule of Civil Procedure 92.

II.
REQUEST FOR DISCLOSURE

Under Texas Rule of Procedure 194, Defendants request that Plaintiff disclose, within thirty (30) days of the service of this request, the information or material described in Rule 194.2 of the Texas Rules of Civil Procedure.

III.

**NOTICE OF INTENT TO USE DOCUMENTS PRODUCED
PURSUANT TO T.R.C.P. 193.7**

Defendants place Plaintiff on notice that pursuant to TEX. R. CIV. P. 193.7, all documents produced by Plaintiff in this litigation are authenticated for use against the producing party in this case and may be used as evidence during pre-trial procedures and at trial of this matter.

**IV.
PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendants pray that upon final hearing hereof, Plaintiff takes nothing by way of their cause of action herein, that Defendants recover their costs herein expended and for such other and further relief, at law or in equity, to which Defendants may show themselves justly entitled to receive.

Respectfully submitted,

SARGENT LAW, P.C.

By: /s/ David L. Sargent
DAVID L. SARGENT
State Bar No. 17648700
david.sargent@sargentlawtx.com
BRETT D. TIMMONS
State Bar No. 24013637
brett.timmons@sargentlawtx.com

1717 Main Street, Suite 4750
Dallas, Texas 75201
(214) 749-6516 (direct – David Sargent)
(214) 749-6316 (fax – David Sargent)

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned certifies that on the 3RD day of May 2019, a true and correct copy of the foregoing document was forwarded via ECF to counsel for Plaintiff:

Phillip Shaw
JIM S. ADLER & ASSOCIATES
The Tower at CityPlace, Lock Box 40
2711 N. Haskell Ave., Suite 2500
Dallas, Texas 75204
Attorney for Plaintiff

/s/ David L. Sargent
DAVID L. SARGENT

EXHIBIT 3g

CAUSE NO. 352-306875-19

VERILYN LAFRANCE
Plaintiff,

v.

JULIO CRESPOPUENTES and
TRIUS TURCKING, INC.
Defendants.

IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

352ND JUDICIAL DISTRICT

DEFENDANTS' REQUEST FOR JURY TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Julio Crespopuentes and Trius Trucking, Inc., Defendants herein, and request that a jury trial be held on said cause. A jury fee has been tendered by Defendants.

Respectfully submitted,

SARGENT LAW, P.C.

By: /s/ David Sargent
DAVID L. SARGENT
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ATTORNEYS FOR DEFENDANTS

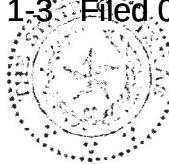
CERTIFICATE OF SERVICE

The undersigned certifies that on the 3RD day of May 2019, a true and correct copy of the foregoing document was forwarded via ECF to Plaintiff's counsel:

Phillip Shaw
JIM S. ADLER & ASSOCIATES
The Tower at CityPlace, Lock Box 40
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Dallas, Texas 75204
Attorney for Plaintiff

/s/ David Sargent
DAVID L. SARGENT

EXHIBIT 3h



JOSH BURGESS

District Judge

352nd Judicial District of Texas
Tom Vandergriff Civil Courts Building
100 N. Calhoun, 4th Floor
Fort Worth, Texas 76196-7283

Kay Stewart
Court Coordinator
(817) 884-2730
klstewart@tarrantcounty.com

Monica Willenburg Guzman
Court Reporter
(817) 884-2732
mguzman@tarrantcounty.com

May 13, 2019

**Re: Cause No. 352-306875-19
Verilyn Lafrance vs. Julio Crespopuentes, et al**

TO ALL COUNSEL AND *PRO SE* PARTIES

Pursuant to Rule 190.4 of the Texas Rules of Civil Procedure the above referenced Level 3 case has been set for pre-trial hearing at the following date and time for the purpose of establishing a Discovery Control Plan tailored to the circumstances of this specific lawsuit:

**Friday, June 28, 2019 @ 9:00 a.m.
352ND District Courtroom**

No appearance is necessary at this hearing if, no later than three business days prior to the hearing date, the parties submit an *Agreed* Discovery Control Plan, setting forth the following deadlines: All deadlines required under Rule 190.4(b)(1-4), plus

- (1) deadlines for challenges to reliability or qualifications of expert witnesses and any hearing thereon;
- (2) deadlines for filing dispositive motions and summary judgment motions including any hearing thereon;
- (3) deadline for submission of a **Joint Pre-Trial Order** (form attached);
- (4) deadline for exchange of Trial Exhibits and Witness Lists; and
- (5) deadline for mediation or objection thereto.

The failure to appear at the pre-trial hearing or submit an Agreed Discovery Control Plan within three business days prior to the pre-trial hearing date shall result in immediate dismissal of the lawsuit for want of prosecution.

Please contact Kay Stewart, Court Coordinator, at (817) 884-2730, to obtain a trial date to include in the Agreed Discovery Control Plan.



E-MAILED

5/13/19 MC

Josh Burgess
Judge, 352nd District Court

CAUSE NO. 352-000000-00

PLAINTIFF § IN THE DISTRICT COURT
VS. § 352ND JUDICIAL DISTRICT
DEFENDANT § TARRANT COUNTY, TEXAS

JOINT PRE-TRIAL ORDER

APPEARANCE OF COUNSEL

(List the parties, their respective counsel and the address and telephone numbers of counsel in separate paragraphs.)

STATEMENT OF THE FACTS

(Give a brief statement of the case for the information of the court.)

MOTIONS

(State if there are any pending motions.)

CONTENTIONS OF THE PARTIES

(State concisely in separate paragraphs a summary of the claims and defenses of each party.)

ADMISSIONS OF FACT

(List all facts which have been stipulated and admitted and require no proof.)

CONTESTED ISSUES OF FACT

(List all factual issues in controversy necessary to the final disposition of this case.)

AGREED APPLICABLE PROPOSITIONS OF LAW

(A list of those propositions not in dispute.)

CONTESTED ISSUES OF LAW

(State briefly the issue of law in dispute with a memorandum of authorities supporting each issue.)

SETTLEMENT

(Include a statement that all settlement efforts have been exhausted, the case cannot be settled and will have to be tried.)

TRIAL

(Include in this paragraph the following:

- a. Probable length of trial;
- b. Availability of witnesses, including out-of-state witnesses.)

ATTACHMENTS

(Include the following REQUIRED attachments:

- I. For a jury trial: Proposed Special Issues, including instructions or definitions.
- II. For a non-jury trial: Proposed findings of fact and conclusions of law, with supporting authorities in a memorandum of law.)

SIGNED this _____ day of _____, _____.

JOSH BURGESS, Judge Presiding

From: Michelle K. Carter
To: "pshaw@jimadler.com"; "david.sargent@sargentlawtx.com"
Subject: 352-306875-19
Date: Monday, May 13, 2019 3:56:00 PM
Attachments: [35230687519000015.pdf](#)

Please see the attached Letter form the Court regarding Pre-Trial Hearing in the above referenced cause.

Thank you,

Michelle Carter
352nd Associate Clerk
Tarrant County District Clerk
100 N. Calhoun St., 2nd Floor
Fort Worth, Texas 76196
817-884-2903
MKCarter@tarrantcounty.com

